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**PATENT**

Attorney Docket No. 31304-704.31

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	KLEINSCHMIDT et al.	Confirmation No.	3472
Serial No.:	09/923,270	Art Unit:	1648
Filed:	August 3, 2001	Examiner:	WINKLER, U.
For:	AAV DNA COMPRISING HELPER VIRUS SEQUENCES	Customer No.	021971

**AMENDMENT UNDER 37 C.F.R. §1.114**

M/S RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Introductory Comments:**

Applicant submits this Amendment in response to the Examiner's Final Office Action mailed August 24, 2004 and further to the Notice of Appeal filed on February 24, 2005. Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.